

obligations. The Constitution, then, holds out to us bread, and gives us a stone.

But this never was the design of the framers of the Constitution. And the very fact that they have given us the power to choose, is enough to prove that the principle, as stated, does not furnish the rule by which we are to be governed.

If, then, we are not bound by the gentleman's *moral obligation*, to elect that candidate who happens to have a plurality of votes in the electoral colleges, what is the rule by which we are to be governed? Is it by the vote of our respective states? That cannot be the rule: for the Constitution has not prescribed any uniform mode for the election of electors, but has left that power in the Legislatures of the States. And it may happen in those States in which they elect electors by districts, that there may be a tie; that the votes for two contending candidates may be equal. How will gentlemen extricate themselves from this dilemma — the dilemma of a tie? Will they resort to their *principle*? It will fail them — it is not principle — it is, in my humble judgment, absurdity. The gentleman from South Carolina has asked the gentleman from Delaware⁶, with a sort of triumph, to answer the case which he put, to wit: that if 130 votes should be given for one candidate, falling one vote short of the number required for an election, whether that gentleman would *dare* to resist such a majority? I would answer, that great respect is due to the opinions of the people. That it would be great impolicy, in ordinary cases, to resist so full an expression of the public will. But reasons might exist, which would render it the imperious duty of the representative, as an honest man, to resist it. There is no *principle* concerned, as I trust, I have shown. It is a mere matter of *expediency*. But let me suppose a case, predicated upon the alleged principle that we are bound to give our votes in accordance with the votes of our respective states, and ask the gentleman to answer it. There are twenty-four states and three candidates for the Presidency. Suppose eight states should vote for each candidate; if we are bound to vote as our respective states do, no election can be made. And what will be the result? It is obvious. By adhering to the *principle*, of which the gentleman speaks, you postpone three candidates, upon whom the people of the United States had fixed their eyes, as fit persons for the

⁶Louis McLane.